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## Court Orders Justice Dept. and FBI To Give Frank Access to Evidence

District Judge Burnita S. Matthews yesterday ordered the Justice Department and the Federal Bureau of Investigation to hand over to defense counsel four days before trial all the statements of witnesses who will testify against John Joseph Frank. Frank, a former employe of the FBI and the Central Intelligence Agency, is charged with illegally acting as an agent for the Dominican Republic.

Judge Matthews said she was acting under the terms of the Jencks case recently decided by the Supreme Court, and under Court of Appeals decisions.

She ruled Frank is entitled to study any statements made to the Government by any witnesses who will testify against him.

Frank, a 42-year-old Washington attorney, is charged with failing to register with the Justice Department as a representative of a foreign power.

Frank was indicted by a

grand jury said to have been probing the disappearance last year of Jesus De Galindez, Columbia University professor, a political enemy of Generalissimo Trujillo, dictator of the Dominican Republic.

Frank's counsel, Edward L. Carey, insisted yesterday that he needed full access immediately to all FBI reports on the case. He said the Supreme Court decision in the Jencks case gave him access to those files. The high court reversed the conviction of Clifton E. Jencks for falsifying a non-Communist affidavit on the grounds that the trial judge refused to make FBI reports available to the defense.

The Justice Department, represented yesterday by William G. Hundley, argued that the Supreme Court decision only

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requires that the Government provide statements it has from witnesses after they complete their testimony.

Judge Matthews ruled that the statements, plus all physical evidence the Government intends to use against Frank,

must be made available to him. His trial, originally scheduled to begin Monday, has been postponed until Fall.

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